

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:22-CV-128-BO

THREE SHIPS MEDIA, LLC,)
 Plaintiff,)
)
v.)
)
MEREDITH OPERATIONS)
CORPORATION,)
 Defendant.

ORDER

This cause comes before the Court on defendant's motions to dismiss plaintiff's complaint and amended complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The appropriate responses and replies have been filed, or the time for doing so has expired, and a hearing on the matters was held before the undersigned on October 6, 2022, at Raleigh, North Carolina. In this posture, the motions are ripe for ruling.

In light of the filing of the amended complaint, the motion to dismiss the original complaint [DE 10] is DENIED AS MOOT. *Fawzy v. Wauquiez Boats SNC*, 873 F.3d 451, 455 (4th Cir. 2017).

The Court has further considered the amended complaint in light of the applicable standards and determines that plaintiff has stated plausible claims for relief. *See Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007); *Mylan Labs., Inc. v. Matkari*, 7 F.3d 1130, 1134 (4th Cir.1993); *see also* Fed. R. Civ. P. 8. The motion to dismiss the amended complaint [DE 15] is therefore DENIED.

CONCLUSION

Accordingly, defendant's motion to dismiss plaintiff's original complaint [DE 10] is DENIED AS MOOT and defendant's motion to dismiss plaintiff's amended complaint [DE 15] is DENIED.

SO ORDERED, this 17 day of October 2022.



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE